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Attorney for Defendant
AMY POLNOFF

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

JAMES S. KALFSBEEK, et. al.,
Defendants.

No. 05-128-LKK

STIPULATION AND ORDER

Date: May 20, 2008
Time: 9:30 a.m.
Hon. Lawrence K. Karlton

Defendants, through their respective counsel, and the United States, through its counsel, hereby stipulate and request that the Court continue the status conference in the above-captioned case from February 12, 2008, to **May 20, 2008, at 9:30 a.m.**

The Superseding Indictment in this case charges the defendants with one count of conspiracy (18 U.S.C. § 371), 14 counts of mail fraud (18 U.S.C. § 1341), 8 counts of wire fraud (18 U.S.C. § 1343), 7 counts of engaging in monetary transactions in criminally derived property (18 U.S.C. § 1957), and 3 counts of money laundering and aiding and abetting (18 U.S.C. § 1956(a)(1)(B)(i) and §2).

To date, defense counsel have received approximately 2,530 documents in discovery and have been provided access to a warehouse where the government has stored an additional approximately 400,000 documents. The defense has also received mirror imaged contents of computers seized in this case. Two counsel, John Balazs and Bruce

1 Locke, have been appointed approximately ten months ago (May 11, 2007) and six months
2 ago (July 30, 2007), respectively. All defense counsel are in the process of reviewing
3 discovery, conducting necessary investigation, and otherwise preparing a defense to the
4 charges. All of the defendants are out of custody.

5 The Court has previously made a finding that this case is “complex” under the
6 Speedy Trial Act and has excluded time on this ground through February 12, 2008. This
7 continuance is requested because defendants’ counsel need additional time to prepare,
8 including reviewing discovery, identifying and interviewing potential witnesses,
9 conducting legal research, and identifying potential motions to be filed. Further, the
10 parties are in the process of attempting to negotiate a “global” settlement in this case . For
11 these reasons, the parties stipulate and request that the Court exclude time within which the
12 trial must commence under the Speedy Trial Act from February 12, 2008 through May 20,
13 2008, for defense preparation and complexity under 18 U.S.C. § 3161(h)(8)(B)(ii) and (iv)
14 (local codes T2 and T4).

15 Respectfully submitted,

16 Dated: February 4, 2008

17 /s/ John Balazs
18 JOHN BALAZS
19 Attorney for Defendant
AMY POLNOFF

20 Dated: February 4, 2008

21 /s/ Scott L. Tedmon
22 SCOTT L. TEDMON
Attorney for Defendant
JAMES KALFSBEEK

23 Dated: February 4, 2008

24 /s/ Dwight M. Samuel
25 DWIGHT M. SAMUEL
26 Attorney for Defendant
27 KURT LAKOTA
28

1 Dated: February 4, 2008

/s/ Robert J. Peters
ROBERT J. PETERS
Attorney for Defendant
SHERWOOD T. RODRIGUEZ

4 Dated: February 4, 2008

/s/ Candace A. Fry
CANDACE A. FRY
Attorney for Defendant
LOUISE RENFRO

7 Dated: February 4, 2008

/s/ Joseph J. Wiseman
JOSEPH J. WISEMAN
Attorney for Defendant
DONNA ROWE

9 Dated: February 4, 2008

/s/ Bruce Locke
BRUCE LOCKE
Attorney for Defendant
DAVID POLNOFF

12 Dated: February 4, 2008

/s/ James Greiner
JAMES R. GREINER
Attorney for Defendant
BLANCHE PATRICIA HASSALL

16 MCGREGOR W. SCOTT
U.S. Attorney


17 Dated: February 4, 2008

18 By: /s/ R. Steven Lapham
R. STEVEN LAPHAM
Assistant U.S. Attorney

20 **ORDER**

21 **IT IS SO ORDERED.** For the reasons stated above, the Court finds that the needs
22 of defense counsel to prepare outweigh the public and the defendants' interest in a speedy
23 trial, and therefore the continuance and exclusion of time are in the interest of justice.

24 Dated: February 5, 2008

26 
LAWRENCE K. KARLTON
27 SENIOR JUDGE
28 UNITED STATES DISTRICT COURT